

REMARKS

In response to the final Office Action dated September 9, 2009, wherein the Examiner maintained his rejection cited under 35 USC 101 for obviousness-type double patenting, Applicant hereby submits a Terminal Disclaimer to overcome the rejection. As the Examiner stated "Claims 1-10, 12-23 and 25-37 would be allowable upon filing of a suitable terminal disclaimer to overcome the double patenting rejection, set forth in this Office Action."¹ Claims 1-10, 12-23 and 25-36 are pending. Claims 10, 24 and 37 were previously cancelled. No claims have been amended or cancelled in this response.

In view of the above, the pending application is now in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65632-0536 from which the undersigned is authorized to draw.

Dated: November 9, 2009

Respectfully submitted,

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¹ While the Examiner included claim 37, claim 37 has been cancelled.